

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

James Copeland,

Petitioner,

v.

Warden Donald Morgan,

Respondent.

Case No. 1:20-cv-1600

Judge James G. Carr
Magistrate Judge Amana M. Knapp

ORDER

Petitioner James Copeland brings this habeas corpus petition pursuant to 28 U.S.C. § 2254 based on his convictions in Cuyahoga County Common Pleas Court, Case No. CR-17-617356-B, for felonious assault, improper discharge of a firearm, and having a weapon while under a disability. (Doc. 1). Copeland's Petition raises three grounds for relief. (*Id.*). Respondent filed an Answer/Return of Writ (Doc. 6), Petitioner filed a Traverse (Doc. 8), and Respondent filed a Reply to Petitioner's Traverse (Doc. 9).

On October 1, 2021, the matter was reassigned to Magistrate Judge Amanda M. Knapp. In her Report & Recommendation (R&R), the Magistrate Judge recommends dismissal of Ground Three of the Petition due to procedural default. Furthermore, she found that Grounds One and Two of the Petition are non-cognizable and without merit and recommends dismissal and/or denial of those Grounds. (Doc. 11).

Petitioner has not filed objections to the R&R.

There is no indication on the docket that the Postal Service returned the R&R as undeliverable, so, presumptively, the petitioner received it.

Despite the lack of objection, I have reviewed the R&R *de novo*. I find the Magistrate Judge's R&R to be well-taken in all respects.

It is, therefore,

ORDERED THAT:

For the reasons stated in the R&R (Doc. 11), Petitioner's third ground for relief is dismissed with prejudice. Petitioner's first and second grounds for relief are dismissed and also denied on their merits.

So ordered.

/s/ James G. Carr
Sr. U.S. District Judge